

I hereby declare that I am the person whose name appears as [] No. on the
electoral roll of Muhammadans for for the election of an Additional Member to the Legislative Council of the
Governor of Fort St. George.

C. N.,
Elector.

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (or who has been
identified to my satisfaction).

X. Y.,
Attesting Officer.

FORM IV.

(See rule 24.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :-

Serial No.	Name of elector.	Address.

Attesting Officer.

12 B

SCHEDULE VII.

[See Regulation II, sub-heads (vii) and (viii), and Regulation III.]

**RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MADRAS CHAMBER OF COMMERCE
AND THE MADRAS TRADES ASSOCIATION, RESPECTIVELY.**

1. The Members specified in Regulation II, sub-heads (vii) and (viii), shall be elected by the members of the Madras Chamber of Commerce and the Madras Trades Association, respectively.
2. Any person, not ineligible for election under these Regulations, who is at the date of the election a member of the said Chamber or Association, as the case may be, shall be eligible for election.
3. On or before such date as may be appointed by the Governor in this behalf, the said Chamber and Trades Association shall respectively elect the members aforesaid in such manner as a Trustee for the Port of Madras is for the time being elected by the said Chamber and Trades Association respectively under section 9 of the Madras Port Trust Act, 1905.
4. The Chairman of the said Chamber or Trades Association, as the case may be, shall forthwith report the result of the election to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

SCHEDULE VIII.

[See Regulation II, sub-head (iv), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE PLANTING COMMUNITY.

1. On receipt of an intimation that an election is to be held, the Secretary to the United Planters' Association of Southern India shall without delay send, by registered post, to the Secretary to each affiliated Planters' Association a notice that an election is to be held on or before such date as the Governor may appoint in this behalf.
2. Upon receipt of the notice referred to in rule 1, the Secretary to each of the said Associations shall without delay send to each member of his Association a notice that a meeting of the members of the affiliated Association will be held at a specified place and time and on a specified date, which date shall be not less than ten clear days before the date referred to in rule 1.
3. (1) At the meeting held under rule 2 each member of the affiliated Association shall be entitled to give one vote for one candidate for election to the Madras Legislative Council.
(2) Any person not ineligible for election under these Regulations who is a member of one of the Planters' Associations affiliated to the United Planters' Association of Southern India, shall be eligible for election.
- (3) The voter shall record his vote on a voting paper, whereon he shall write the name of the person voted for and his own full signature, and shall place the voting paper in a ballot-box.
- (4) As soon as, in the opinion of the member presiding at the meeting, sufficient time has elapsed to enable the voting to be completed, he shall ask whether any member present has not yet voted, and shall call upon such member to vote within such time as the member presiding may fix.
- (5) If there is no member present who has not voted, or on the expiry of the time so fixed the presiding member shall open the ballot-box, count the votes and, after rejecting any voting papers not prepared in accordance with this rule, shall announce the result of the ballot to the meeting.
- (6) In case of an equality of votes for two or more persons, the presiding member shall have a second, or casting, vote.
4. Immediately after the conclusion of the ballot under rule 3, the Secretary to the affiliated Association shall report the result thereof by registered post to the Secretary to the United Planters' Association of Southern India.
5. Upon receipt of the reports under rule 4 from the affiliated Associations, the Secretary to the United Planters' Association of Southern India shall give to the vote of each of the affiliated Associations the value assigned to it by the rules framed by the United Planters' Association of Southern India to regulate voting at general meetings of that body, and shall determine which candidate has received the largest number of votes as so valued.
6. In the event of two or more candidates for election receiving an equal number of votes as determined under rule 5, the Secretary to the United Planters' Association of Southern India shall report the fact without delay to the Chairman of the said Association or, in his absence, to the Vice-Chairman of that Association; and the Chairman or Vice-Chairman, as the case may be, shall have a casting vote.
7. The voting papers given in at the meetings held under rule 3 shall be sealed up and retained by the Secretaries to the affiliated Associations for six months, and shall then be destroyed.
8. The Secretary to the United Planters' Association of Southern India shall forthwith report by registered post the name of the person elected to the Secretary to the Government of Madras in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette.

The 15th November 1909.

No. 16.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor of Bombay :

REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF BOMBAY.

1. (1) The Additional Members of the Legislative Council of the Governor of Bombay, other than the Advocate General or other officer acting in that capacity, shall ordinarily consist of—

Number of Members.

A.—Members elected by the classes specified in Regulation II, who shall be twenty-one in number ;

—Members nominated by the Governor, who shall not exceed twenty-one in number and of whom not more than fourteen may be officials.

(2) In addition to the forty-two Additional Members above specified, the Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Additional Members of the Council :

Provided that it shall not be lawful for the Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

II. The twenty-one elected Members specified in Regulation I shall be elected as follows, namely :—

Elected Members

(i) By the Municipal Corporation of the City of Bombay	..	1 Member
(ii) By the University of Bombay	.. ..	1 Member.
(iii) By the Sardars of the Deccan	.. ..	1 Member.
(iv) By the Sardars of Gujarat	.. ..	1 Member.
(v) By the Jagirdars and Zamindars of Sind	.. ..	1 Member.
(vi) By the Municipalities.	.. ..	4 Members.
(vii) By the District Local Boards	.. ..	4 Members.
(viii) By the Muhammadan community	.. ..	4 Members.
(ix) By the Indian commercial community	.. ..	1 Member.
(x) By the Bombay Chamber of Commerce	.. ..	1 Member.
(xi) By the Karachi Chamber of Commerce	.. ..	1 Member
(xii) By the Millowners' Association of Bombay and the Millowners' Association of Ahmedabad, alternately	.. ..	1 Member.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

Electorates and electoral procedures.

IV. No person shall be eligible for election as a Member of the Council if such person—

Ineligible candidates.

- (a) is not a British subject, or
- (b) is a female, or
- (c) has been adjudged by a competent Civil Court to be of unsound mind, or
- (d) is under twenty-five years of age, or
- (e) is an uncertificated bankrupt or an undischarged insolvent, or
- (f) has been dismissed from the Government service, or

- (g) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted or the offender pardoned, or
- (h) has been debarred from practising as a legal practitioner by order of any competent authority, or
- (i) has been declared by the Governor in Council to be of such reputation and antecedents that his election would, in the opinion of the Governor in Council, be contrary to the public interest :

Provided that in cases (f), (g), (h) and (i) the disqualification may be removed by an order of the Governor in Council in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person —

- (a) is a female, or
- (b) is a minor, or
- (c) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person who is elected or nominated under these Regulations to be a Member of Council shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been ^{elected}/_{nominated} a Member of the Legislative Council of the Governor of Bombay, do solemnly swear (or affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person,—

- (a) not being eligible for election, is elected under these Regulations, or
- (b) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (c), (e), (f), (g) or (h) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Governor in Council may consider reasonable,

the Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person, within such time as may be prescribed by such notification, or shall nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Governor may nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Secretary to the Legislative Council of the Governor of Bombay within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default the Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who except for the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

X. (1) Save as provided in clause (2), and subject to the provisions of Regulation XVIII, the term of office of an Additional Member shall be three years from the date of his election or nomination, as the case may be: Term of office.

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II, or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification. Vacancies.

(2) When a vacancy occurs in the case of a nominated Member, the Governor may nominate any person to the vacancy:

Provided that when a casual vacancy occurs in the case of an elected Member the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Governor may nominate at his discretion any person who is eligible for election by such electorate. Failure to elect.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Governor of Bombay shall be exercised only at meetings at which— Quorum.

(a) the Governor, or

(b) the Vice-President appointed by the Governor under section 4 of the Indian Councils Act, 1909, or,

(c) in the case of the discussions referred to in section 5 of the said Act, a Member appointed to preside in pursuance of a rule made under that section,

and ten or more Members of the Council are present.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected. Corrupt practices.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

Disputes as to
validity of elections.

And a corrupt practice shall be deemed to be committed by a candidate, if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A “promise of individual profit” includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance
with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Governor in Council shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Governor may nominate any person who is eligible for election by such electorate.

Finality of deci-
sions.

XVII. The decision of the Governor in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[See Regulation II, sub-head (i), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MUNICIPAL CORPORATION OF THE CITY OF BOMBAY.

1. The Member specified in Regulation II, sub-head (i), shall be elected by the members of the Municipal Corporation of the City of Bombay.

2. Any person not ineligible for election under these Regulations who—

(a) is at the date of the election a member of the Municipal Corporation of the City of Bombay, or

(b) has served at least for three years as a member of that corporation,

shall be eligible for election.

3. On or before such date as may be appointed by the Governor in this behalf, the election shall be made by the Municipal Corporation of the City of Bombay in the same manner as though such election was an item of municipal business and the Corporation had met for the despatch of municipal business at a special meeting called by the President under section 36, clause (d), of the City of Bombay Municipal Act, 1888, and the election shall be decided in accordance with section 36, clause (g), of the said Act.

4. The President shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

SCHEDULE II.

(See Regulation II, sub-head (ii), and Regulation III.)

RULES FOR THE ELECTION OF A MEMBER BY THE UNIVERSITY OF BOMBAY.

Preliminary.

1. "Returning Officer" means the Registrar of the University of Bombay, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualification of electors.

2. The Member specified in Regulation II, sub-head (ii), shall be elected by the votes of the members of the Senate and Honorary Fellows of the University of Bombay having a place of residence in India (hereinafter referred to as electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer :

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder :
Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as foreshaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India whose address has been registered at the office of the Returning Officer one such voting paper signed by the Returning Officer :

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and after recording his vote on the voting paper in the manner prescribed therein deliver the same to the Returning Officer.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein :

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse " rejected " on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the sending of nomination papers under rule 3 ;
- (i) the scrutiny of nomination papers under rule 5 ;
- (c) the sending of voting papers under rule 6 ;
- (d) the recording of votes under rule 7 ; and
- (e) the counting of votes under rule 10.

FORM I.

(See rule 3.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the _____ day
of 19 _____ shall be invalid.

FORM II.

(See rule 6.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the members of the Senate and Honorary Fellows of the University of Bombay. The following (.) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark X opposite the name of the candidate whom he prefers.
3. The voting papers shall be invalid if the mark X is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.
5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.
6. Votes may be recorded in the presence of the Returning Officer between the hours of and on the day of 19 , at the

I hereby declare that I am a member of the Senate (or an Honorary Fellow) of the University of Bombay.

(Signed)

(Fold on this line.)

SCHEDULE III.

[See Regulation II, sub-head (iii), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE SARDARS OF THE DECCAN.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means the Agent to the Sardars of the Deccan, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualification of electors.

2. The election of the Member specified in Regulation II, sub-head (iii), shall be made by all persons who are qualified to vote and whose names appear in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department, No. 2363, dated the 23rd day of July 1867.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations and belonging to the class specified in rule 2 may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post to each elector on or before such date as may be appointed by the Local Government in this behalf.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder in the manner prescribed on the face of the form, and shall be despatched by registered post to the Returning Officer in accordance with the instructions contained therein:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

7. (1) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send to each elector by registered post a voting paper in Form II annexed to this Schedule, in which the name of the elector and the names of the candidates duly nominated shall be entered at the places respectively provided therefor:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the date appointed for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose on such date and at such time as may be appointed by the Local Government in this behalf with the voting paper sent to him before an Attesting Officer, who shall provide him with an envelope for enclosing the voting paper.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

8. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form III annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the sending of nomination papers under rule 3;
- (b) the scrutiny of nomination papers under rule 5;
- (c) the sending of voting papers under rule 7;
- (d) the attestation of voting papers under rule 7; and
- (e) the counting of votes under rule 10.

FORM I.

(See rule 3.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the _____ day
of 19 _____ shall be invalid.

FORM-II.

(See rule 7.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Sardars of the Deccan. The following [] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

Name of elector—

I hereby declare that I am the person whose name appears as [] on the list now in force under the Resolution of the Government of Bombay in the Political Department, No. 2363, dated the 23rd day of July 1887.

C. N.,

Electors.

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM III.

(See rule 8.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

16

SCHEDULE IV.

[See Regulation II, sub-head (iv), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE SARDARS OF GUJARAT.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

2) "Returning Officer" means the Commissioner of the Northern Division, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualification of electors.

2. The election of the Member specified in Regulation II, sub-head (iv), shall be made by all persons who are qualified to vote and whose names appear in the list for the time being in force under the Resolution of the Government of Bombay in the Political Department No. 6265, dated the 21st day of September 1909.

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations and belonging to the class specified in rule 2 may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post to each elector on or before such date as may be appointed by the Local Government in this behalf.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder in the manner prescribed on the face of the form, and shall be despatched by registered post to the Returning Officer in accordance with the instructions contained therein:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

5. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

7. (1) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send to each elector by registered post a voting paper in Form II annexed to this Schedule, in which the name of the elector and the names of the candidates duly nominated shall be entered at the places respectively provided therefor:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the date appointed for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall attend for the purpose on such date and at such time as may be appointed by the Local Government in this behalf with the voting paper sent to him before an Attesting Officer, who shall provide him with an envelope for enclosing the voting paper.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

8. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form III annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint and shall notify, in such manner as it thinks fit, such date, and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the sending of nomination papers under rule 3 ;
- (b) the scrutiny of nomination papers under rule 5 ;
- (c) the sending of voting papers under rule 7 ;
- (d) the attestation of voting papers under rule 7 ; and
- (e) the counting of votes under rule 10.

FORM I.

(See rule 3.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM II.

(See rule 7.)

VOTING PAPER

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Sartiars of Gujarat. The following [] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

*Returning Officer.**Instructions.*

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark \times opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark \times is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19

Name of elector

I hereby declare that I am the person whose name appears as _____ on the list now in force under the Resolution of the Government of Bombay in the Political Department, No. 6265, dated the 21st day of September 1909.

C. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

Attesting Officer

(See rule 8.)

The following is a list of all the electors whose voting papers have been attested by me :—

Attesting Officer.

SCHEDULE V.

[See Regulation II, sub-head (v), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE JAGIRDARS AND ZAMINDARS OF SIND.

Preliminary.

1. (1) "Attesting Officer" for a district means the Collector or Deputy Commissioner of the district, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means the Commissioner in Sind, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The election of the Member specified in Regulation II, sub-head (v), shall be made by all persons qualified to vote who are—

(a) Jagirdars of the first or second class, or

(b) Zamindars who for the three years preceding the preparation of the electoral roll have paid not less than one thousand rupees per annum as ordinary land-revenue:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the Sind Gazette.

(2) As soon as may be after the publication of the roll in the Sind Gazette, a copy thereof shall be posted in a conspicuous place at the office of the Collector or Deputy Commissioner of every district in Sind.

(3) The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

4. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Returning Officer may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll.

(3) On such revision the Returning Officer, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll.

(4) An appeal shall lie from any such order of the Returning Officer to the Local Government, whose decision shall be final.

(5) Such appeal, if any, shall be preferred within one week from the date of the order appealed against:

Provided that the Local Government may, for sufficient reason, extend the time to a period not exceeding three weeks.

(6) As soon as may be after the expiry of the period for appealing or, if an appeal is preferred, after the appeal has been disposed of, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post to each elector on or before such date as may be appointed by the Local Government in this behalf.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder in the manner prescribed on the face of the form, and shall be despatched by registered post to the Returning Officer in accordance with the instructions contained therein :

Provided that no elector shall subscribe more than one nomination paper.

6. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

7. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 5, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

8. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

9. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district against which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in his behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

10. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following, the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

11. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

12. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 11 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

13. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

14. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

15. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the publication of the electoral roll under rule 3 ;
- (b) the sending of nomination papers under rule 5 ;
- (c) the scrutiny of nomination papers under rule 7 ;
- (d) the attestation of voting papers under rule 9 ; and
- (e) the counting of votes under rule 12.

FORM II.

(See rule 5.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

*Returning Officer.**Instructions.*

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.

FORM III.

(See rule 9.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Jagirdars and Zamindars of Sind. The following [] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [] No. on the electoral roll of Jagirdars and Zamindars of Sind for the election of an Additional Member to the Legislative Council of the Governor of Bombay.

C. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 10.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :--

Serial No.	Name of elector.	Address

Attesting Officer.

12 G 2

SCHEDULE VI.

[See Regulation II, sub-heads (vi) and (vii), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY MUNICIPALITIES AND DISTRICT LOCAL BOARDS.

Preliminary.

1. "Returning Officer" means the Commissioner of the Division for which the election is held, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the four Members specified in Regulation II, sub-head (vi) and sub-head (vii), respectively, one shall be elected by each of the following groups of Municipalities or District Local Boards, namely :

By the Municipalities of the Southern Division	1 Member.
By the Municipalities of the Northern Division	1 Member.
By the Municipalities of the Central Division	1 Member.
By the Municipalities of the Sind Division	1 Member.
By the District Local Boards of the Southern Division	1 Member.
By the District Local Boards of the Northern Division	1 Member.
By the District Local Boards of the Central Division	1 Member.
By the District Local Board of the Sind Division	1 Member.

Electorate.

3. (1) The Member to be elected by each of the groups of Municipalities or District Local Boards mentioned in rule 2 shall be elected by the votes of delegates to be selected from among themselves in the manner hereinafter prescribed by the non-official members of all the Municipalities or District Local Boards of the group.

(2) The number of delegates which Municipalities or District Local Boards are entitled to select shall be in accordance with the following scale, namely :—

Municipalities.

where the population of the municipality—	Number of delegates.
exceeds 5,000 but does not exceed 10,000	1
do. 10,000 do. 20,000	2
and for every 10,000 or part thereof in excess of 20,000	1

District Local Boards.

where the population of the district—	Number of delegates.
does not exceed 100,000	1
where it exceeds 100,000 but does not exceed 200,000	2
and for every 100,000 or part thereof in excess of 200,000	1

(3) The population of each municipality or district shall be deemed to be that stated in the returns of the most recent official census.

Selection of delegates.

4. (1) On such date and at such time as may be appointed by the Local Government in this behalf, the non-official members of each Municipality or District Local Board shall meet for the purpose of selecting the number of delegates to which it may be entitled.

(2) The proceedings at such meeting shall be held as though the members of the Municipality or District Local Board, as the case may be, had met at a special general meeting held under section 26, clause (2), of the Bombay District Municipal Act, 1901, or at a special meeting held under section 32, clause (a), sub-head (1), of the Bombay Local Boards Act, 1884, as the case may be, and the representatives shall be selected by a majority of the members present in accordance with the provisions of the respective sections aforesaid as though such selection were an item of Municipal or District Local Board business.

5. Upon the completion of such selection the president or chairman shall without delay report to the Returning Officer in Form I annexed to this schedule the names and addresses of the delegates selected.

Qualifications and nomination of candidates.

6. (1) Any person not ineligible for election under these Regulations who has a place of residence in the group for which he seeks election and either is a non-official member or has served at least three years as such a member of any Municipality or District Local Board in that group may be nominated as a candidate for election.

(2) Every nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the President to any such member of any Municipality or District Local Board of the group concerned asking for the same.

(3) Every nomination paper shall be subscribed by two such members as proposer and seconder, and shall be attested in the manner prescribed on the face of the form by the President of one of the Municipalities or District Local Boards of the group concerned:

Provided that no such member shall subscribe more than one nomination paper.

(4) Nomination papers when duly subscribed and attested shall be despatched without delay by the President attesting the same by registered post to the Returning Officer.

7. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 6, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

9. (1) If in any group one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

10. On or before such date as the Local Government may appoint in this behalf, the Returning Officer shall sign and send to each delegate by registered post a voting paper in Form III annexed to this Schedule, in which the name of the delegate and the names of the candidates duly nominated shall be entered at the places respectively provided therefor:

Provided that such a voting paper shall also be supplied to any delegate on his applying to the Returning Officer for the same on or before the date appointed for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by a delegate of his voting paper.

11. (1) On or before such date as may be appointed in this behalf, every delegate desirous of recording his vote shall, after filling up the voting paper in accordance with the instructions contained therein and causing his signature thereon to be attested in accordance with the same instructions by the President of the Municipality or District Local Board by which he was selected, deliver the same to such President, who shall thereupon send it to the Returning Officer by registered post.

(2) Neglect on the part of the delegate to comply with any of these instructions shall render the vote invalid.

Counting of votes and declaration of result.

12. (1) On receiving the voting papers, the Returning Officer shall examine them to see whether they have been correctly filled up.

(1) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every voting paper whether valid or invalid along the dotted line on the back, so as to conceal the names of the delegate and the President attesting the signature of the delegate, and shall seal down the portion thus folded with his official seal.

13. The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 12 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

14. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

15. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

16. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

17. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the selection of delegates under rule 4 ;
- (b) the scrutiny of nomination papers under rule 8 ;
- (c) the sending of voting papers under rule 10 ;
- (d) the attestation of voting papers under rule 11 ; and
- (e) the counting of votes under rule 13.

FORM II.

(See rule 6.)

NOMINATION PAPER.

1. Name of candidate.

father's name

Age.

4. Address.

5. Signature of proposer.

6. Signature of seconder.

Signed in my presence by _____ and _____ who are personally known to
me (or who have been identified to my satisfaction) as non-official members of the _____ of
being one of the _____ included in group _____.

President of the _____ of _____

Instructions.

1. Nomination papers shall be attested by the President of one of the Municipalities or District Local Boards of the group making the election. Those not so attested shall be invalid.

2. Nomination papers which are not received by the Returning Officer before _____ of the
day of _____ 19 _____ shall be invalid.

FORM III.

(See rule 10.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Delegates selected by the Municipalities and District Local Boards of the Division. The following [] candidates have been duly nominated:—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each delegate has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the delegate shall sign the declaration on the back of the paper in the presence of the President of the Municipality or District Local Board by which he was elected, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the President on or before the day of 19 .

12 H 2

Name of Delegate

I hereby declare that I am a Delegate from the _____ of _____ for the election of an Additional Member to the Legislative Council of the Governor of Bombay by the Municipalities and District Local Boards of the Division.

G. H.,

Delegate.

(Fold on this line.)

Signed in my presence by the Delegate, who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

President of _____ of _____

SCHEDULE VII.

[See Regulation II, sub-head (viii), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the four Members specified in Regulation II, sub-head (viii), one shall be elected by the qualified electors in each of the four following areas, hereinafter called Divisions:—

Division I.—The Southern Division.

Division II.—The Northern Division.

Division III.—The Central Division.

Division IV.—The City of Bombay.

Qualifications of electors.

3. The election shall be made by all Muhammadans qualified to vote and having a place of residence in the Division for which the election is being held who—

- (a) hold alienated or unalienated land assessed at or of the assessable value of not less than one hundred, or in the City of Bombay of not less than two hundred, rupees; or
- (b) pay on their own account income-tax on an income of not less than one thousand rupees per annum or, in the City of Bombay, two thousand rupees per annum; or
- (c) are practising Advocates or Attorneys; or
- (d) are holders of any title conferred or recognised by the Government or are members of the Order of the Star of India or of the Order of the Indian Empire or holders of the Kaisar-i-Hind Medal; or
- (e) hold diplomas in medicine or engineering granted at least five years previously by any Institution in the British Empire recognised by the Local Government for this purpose; or
- (f) are conciliators under the Deccan Agriculturists' Relief Act, 1879; or
- (g) are Justices of the Peace or Honorary Magistrates; or
- (h) are graduates of five years standing of any University in the British Empire:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published for each division by the Returning Officer in the local official Gazette.

(2) Where a firm or company is composed exclusively of persons who are Muhammadans and such firm or company is qualified under rule 3, clause (a) or clause (b), the name of any person duly authorised in writing in this behalf by the firm or company shall be entered in the said roll as the representative, for the purposes of the roll, of such firm or company.

(3) In determining the eligibility of a landholder as an elector only land-revenue payable or assessable in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

(4) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate and of the Chief Presidency Magistrate of Bombay.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified the Returning Officer may of his own motion, and shall on the application of any person whose name appears on the said roll or who claims to have his name inserted therein, revise the said roll.

(3) On such revision the Returning Officer, after such enquiry and after hearing such persons as may be necessary, may order any addition to or alteration in the electoral roll, and his order shall be final.

(4) The electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election by the electors of the Division in which he resides.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed as proposer and seconder by two electors of the Division for which the election is being held, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer to the Returning Officer by registered post.

8. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed in each Division, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 7, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

10. (1) If in any Division one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

11. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district against which his name appears in the electoral roll, and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each such elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

12. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

13. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

14. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers, sealed as provided by rule 13 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such case the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

15. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

16. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

17. The Returning Officer shall without delay report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

18. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the publication of the electoral roll under rule 4 ;
- (b) the attestation of nomination papers under rule 7 ;
- (c) the scrutiny of nomination papers under rule 9 ;
- (d) the attestation of voting papers under rule 11 ; and
- (e) the counting of votes under rule 14.

FORM II.

(See rule 7.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by _____ and _____, who are personally known to me (or who have been identified to my satisfaction) as being the persons whose names appear as _____ and _____ on the electoral roll of Muhammadans for the _____ Division City of Bombay for the election of an Additional Member to the Legislative Council of the Governor of Bombay.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on the _____ day of _____ 19 _____, and between the hours of _____ and _____, at the office of _____.

FORM III.

(See rule 11.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Muhammadan community in the Division (or the City of Bombay). The following [] candidates have been duly nominated:—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [] No. on the electoral roll of
Muhammadans for the Division (or the City of Bombay) for the election of an Additional Member to the
Legislative Council of the Governor of Bombay.

G. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (or who has been
identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 12.)

LIST OF ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me: --

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE VIII.

[See Regulation II, sub-head (ix), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE INDIAN COMMERCIAL COMMUNITY

Preliminary.

1. "Returning Officer" means the Secretary to the Legislative Council of the Governor of Bombay, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) The Member specified in Regulation II, sub-head (ix), shall be elected by the votes of delegates to be selected from among themselves in the manner hereinafter prescribed by the members of the bodies styled "the Indian Merchants' Chamber" and "the Bombay Native Piece-goods Merchants' Association."

(2) The number of delegates which each of the said bodies is entitled to select shall be ten.

Selection of delegates.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, each of the said two bodies shall meet at a special general meeting convened in accordance with its rules for the purpose of selecting delegates.

(2) Such selection shall be made in the manner laid down from time to time by the rules of the body concerned for carrying resolutions or recording decisions upon questions of business brought before it.

4. The Chairman of the body making the selection shall, on or before the date appointed by the Local Government in this behalf, report to the Returning Officer the names and addresses of the delegates selected (hereinafter referred to as electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations who is and has been a member of one of the bodies aforesaid for at least one year at the date of the meeting at which delegates were selected by that body may be nominated as a candidate for election.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Returning Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by the Chairman of either of the said bodies in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers when duly filled in shall be despatched by registered post to the Returning Officer.

6. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination paper shall be rejected.

Scrutiny of nomination papers.

7. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 5, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

8. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

9. (1) On or before such date as may be appointed by the Local Government in this behalf the Returning Officer shall sign and send to each elector by registered post a voting paper in Form II annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same :

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(2) Every elector desirous of recording his vote shall obtain the signature of the Chairman of the body by which he was selected to the certificate thereto appended, and shall then fill up the voting paper in accordance with the instructions on the face thereof.

(3) The elector shall then send the voting paper enclosed in the envelope provided to the Returning Officer by registered post.

(4) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(5) Voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Chairman, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If any objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall without delay publish the name of the candidate elected in the local official Gazette.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely :—

- (a) the selection of delegates under rule 3 ;
- (b) the report of the selection of delegates under rule 4 ;
- (c) the scrutiny of nomination papers under rule 7 ;
- (d) the sending of voting papers under rule 9 ; and
- (e) the counting of votes under rule 11.

FORM I.

(See rule 5.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by _____ and _____, who are personally known to me
(or have been identified to my satisfaction) as being Delegates selected by the

Chairman of

Instructions.

(1) Nomination papers shall be attested by the Chairman of the Indian Merchants' Chamber or the Bombay Native Piece-goods Merchants' Association. Those not so attested shall be invalid.

(2) Nomination papers which are not received by the Returning Officer before the day of _____ 19 shall be invalid.

FORM II.

(See rule 9.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor of Bombay by the Delegates selected by the Indian Commercial Community. The following [] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Chairman of the body by which he was selected and shall obtain his signature to the certificate printed on the back. Without such signature to the certificate the voting paper shall be invalid.
5. Voting papers after being duly filled up shall be sent by the elector enclosed in the envelope provided to the Returning Officer by registered post. Voting papers which are not received by the Returning Officer before the day of 19 shall be rejected.

I hereby declare that I am a Delegate from the _____ for the election of an Additional Member to the
Legislative Council of the Governor of Bombay by the Indian Commercial Community.

C. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (or who has been
identified to my satisfaction).

X. Y.,

Chairman of

SCHEDULE IX.

[See Regulation II, sub-heads (x) and (xi), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE BOMBAY CHAMBER OF COMMERCE AND THE KARACHI CHAMBER OF COMMERCE, RESPECTIVELY.

1. The Members specified in Regulation II, sub-heads (x) and (xi), shall be elected by the members of the Bombay Chamber of Commerce and the Karachi Chamber of Commerce, respectively.
2. Any person not ineligible for election under these Regulations, who is at the date of the election a member of the said Bombay Chamber or Karachi Chamber, as the case may be, shall be eligible for election.
3. On or before such date as may be appointed by the Governor in this behalf—
 - (a) the Bombay Chamber of Commerce shall elect the Member specified in Regulation II, sub-head (x), in such manner as a Trustee for the Port of Bombay is for the time being elected by the said Chamber under section 6 of the Bombay Port Trust Act, 1879;
 - (b) the Karachi Chamber of Commerce shall elect the Member specified in Regulation II, sub-head (xi), in such manner as a Trustee for the Port of Karachi is for the time being elected by the said Chamber under section 3 of the Karachi Port Trust Act, 1886.
4. The President of the said Bombay Chamber or Karachi Chamber, as the case may be, shall forthwith report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

SCHEDULE X.

See Regulation II, sub-head (xii), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE MILLOWNERS' ASSOCIATION OF BOMBAY AND THE MILLOWNERS' ASSOCIATION OF AHMEDABAD.

1. The Member specified in Regulation II, sub-head (xii), shall be elected alternately by the Millowners' Association of Bombay and the Millowners' Association of Ahmedabad :

Provided that the Millowners' Association of Bombay shall have the first right of election.

2. Any person not ineligible for election under these Regulations who is and has been at the date of the election a member for one whole year of the body by which the election is being made shall be eligible for election.

3. On or before such date as may be appointed by the Governor in this behalf, the election shall be made by a majority of votes of the members in the manner laid down from time to time in the rules of the Association making the election for carrying resolutions or recording decisions upon questions of business brought before it.

4. The Chairman of the Association shall forthwith report the result of the election to the Secretary to the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the local official Gazette.

The 15th November 1909.

No. 17.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Members of the Legislative Council of the Lieutenant-Governor of Bengal:

REGULATIONS FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF BENGAL.

I. (1) The Members of the Legislative Council of the Lieutenant-Governor of Bengal shall ordinarily consist of—

A.—Members elected by the classes specified in Regulation II, who shall be twenty-six in number;

B.—Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, who shall not exceed twenty-two in number, and of whom—

(a) not more than seventeen may be officials, and

(b) two shall be non-official persons to be selected, one from the Indian commercial community and one from the planting community.

(2) In addition to the forty-eight Members above specified, the Lieutenant-Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Members of the Council:

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

II. The twenty-six elected Members specified in Regulation I shall be elected as follows, namely:—

(i) By the Corporation of Calcutta	1 Member.
(ii) By the University of Calcutta	1 Member.
(iii) By the Municipal Commissioners	6 Members.
(iv) By the District Boards	6 Members.
(v) By the Landholders	5 Members.
(vi) By the Muhammadan community	4 Members.
(vii) By the Bengal Chamber of Commerce	2 Members.
(viii) By the Calcutta Trades Association	1 Member.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

IV. No person shall be eligible for election as a Member of the Council if such person—

(a) is not a British subject, or

(b) is a female, or

(c) has been adjudged by a competent Civil Court to be of unsound mind, or

(d) is under twenty-five years of age, or

(e) is an uncertificated bankrupt or an undischarged insolvent, or

(f) has been dismissed from the Government service, or

(g) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure,

such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or

(h) has been debarred from practising as a legal practitioner by order of any competent authority, or

(i) has been declared by the Lieutenant-Governor to be of such reputation and antecedents that his election would, in his opinion, be contrary to the public interest :

Provided that in cases (f), (g), (h) and (i) the disqualification may be removed by an order of the Lieutenant-Governor in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

(a) is a female, or

(b) is a minor, or

(c) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been ^{elected}_{nominated} a Member of the Legislative Council of the Lieutenant-Governor of Bengal, do solemnly swear (or affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person,—

(a) not being eligible for election, is elected under these Regulations, or,

(b) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (c), (e), (f), (g) or (h) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Lieutenant-Governor may consider reasonable, the Lieutenant-Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person, within such time as may be prescribed by such notification, or shall with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may, with the like sanction, nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Government of Bengal, within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default the Lieutenant-Governor shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who, except for the said votes, would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

X. (1) Save as provided in clause (2) and subject to the provisions of Regulation XVIII, the term of office of a Member, shall be three years from the date of his election or nomination, as the case may be: Term of office.

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Lieutenant-Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office as long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification. Vacancies.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person to the vacancy:

Provided that when a casual vacancy occurs in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Lieutenant-Governor may, with the like sanction, nominate at his discretion any person who is eligible for election by such electorate. Failure to elect.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Lieutenant-Governor of Bengal shall be exercised only at meetings at which— Quorum.

- (a) the Lieutenant-Governor, or
- (b) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or,
- (c) in the case of the discussions referred to in section 5 of the said Act, a Member appointed to preside in pursuance of a rule made under that section,

and ten or more Members of the Council are present.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected. Corrupt practices.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

- (i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

- (ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A “promise of individual profit” includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance
with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to
validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination, or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Lieutenant-Governor shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person who is eligible for election by such electorate.

Finality of deci-
sions.

XVII. The decision of the Lieutenant-Governor on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Lieutenant-Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[See Regulation II, sub-head (i), and Regulation III.]

RULES FOR THE ELECTION OF A MEMBER BY THE CORPORATION OF CALCUTTA.

1. The Member specified in Regulation II, sub-head (i), shall be elected by the Commissioners of the Corporation of Calcutta in accordance with the procedure hereinafter prescribed.
2. On or before such date as may be appointed by the Local Government in this behalf, a special meeting of the Corporation shall be convened by the Chairman of the Corporation for the purpose of the election:
Provided that not less than fifteen clear days before the date fixed for such meeting the Chairman shall send to each Commissioner a written notice informing him of the time and place fixed for such meeting.
3. (1) Any person not ineligible for election under these Regulations, who is a Commissioner of the Corporation, may be nominated as a candidate for election.
(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Chairman to every Commissioner applying for the same.
(3) Each nomination paper shall be subscribed by two Commissioners as proposer and seconder:
Provided that no Commissioner shall subscribe more than one nomination paper.
- (4) Nomination papers which are not received by the Chairman at least seven clear days before the date fixed for the meeting shall be rejected.
5. (1) If one candidate only is duly nominated, the Chairman shall forthwith declare such candidate to be elected.
(2) If more candidates than one are duly nominated, the Chairman shall forthwith prepare a list of such candidates containing their names and addresses, and shall cause such list to be posted in a conspicuous place at his office.
6. At the meeting at which the election is held the Chairman shall read out the names of all nominated candidates.
7. The voting shall be by ballot, and each Commissioner shall have one vote only.
8. When the counting of the votes has been completed by the Chairman, he shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.
9. Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Chairman and in such manner as he may determine.
10. The Chairman shall report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.
11. Any of the functions assigned to the Chairman of the Corporation under this Schedule may be delegated by him to the Vice-Chairman or Deputy Chairman.

FORM I.

NOMINATION PAPER.

(See rule 3.)

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Instructions.

Nomination papers which are not received by the Chairman before the _____ day
of _____ 19 _____ shall be rejected.

SCHEDULE II.

[See Regulation II, sub-head (ii), and Regulation III.]

RULES FOR THE ELECTION OF A MEMBER BY THE UNIVERSITY OF CALCUTTA.

Preliminary.

1. "Returning Officer" means the Registrar of the University of Calcutta, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualification of electors.

2. The Member specified in Regulation II, sub-head (ii), shall be elected by the votes of the members of the Senate and Honorary Fellows of the University of Calcutta having a place of residence in India (hereinafter referred to as electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is qualified to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer:

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India whose address has been registered at the office of the Returning Officer one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and after recording his vote on the voting paper in the manner prescribed therein deliver the same to the Returning Officer.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein:

Provided that voting papers which are not received by the Returning Officer before the day appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the sending of nomination papers under rule 3;
- (b) the scrutiny of nomination papers under rule 5;
- (c) the sending of voting papers under rule 6;
- (d) the recording of votes under rule 7; and
- (e) the counting of votes under rule 10.

FORM I.

(See rule 3.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Returning Officer.

Instructions.

Nomination papers which are not received by the Returning Officer before the
19 shall be invalid. day

FORM II.

(See rule 6.)

VOTING PAPER.

One Member is to be elected to the Legislative Council of the Lieutenant-Governor of Bengal by the Members of the Senate and Honorary Fellows of the University of Calcutta. The following () candidates have been duly nominated:—

Serial No.	Names of candidates.	Vote.

Returning Officer.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. The elector shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.
5. Voting papers shall be marked and delivered to the Returning Officer or sent to him by registered post. Voting papers which are not received by the Returning Officer before the day of 19 will be rejected.
6. Votes may be recorded in the presence of the Returning Officer between the hours of and on the day of 19 at the

I hereby declare that I am a Member of the Senate (or an Honorary Fellow) of the University of Calcutta.

(Signed)

(Fold on this line.)

SCHEDULE III.

[See Regulation II, sub-head (iii), and Regulation III.]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY MUNICIPAL COMMISSIONERS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the six Members specified in Regulation II, sub-head (iii),—

(a) one shall be elected by the Municipal Commissioners of each of the following five Divisions, namely, the Presidency, Burdwan, Patna, Tirhut and Bhagalpur Divisions; and

(b) one shall be elected alternately by the Municipal Commissioners of the Chota Nagpur and Orissa Divisions, the former Commissioners having the first right of election:

Provided that the right of election conferred on Municipal Commissioners shall be exercised only by those Commissioners who represent Municipalities which are notified from time to time by the Local Government in the local official Gazette as having a local income amounting to not less than five thousand rupees per annum.

Explanation.—For the purpose of this rule, "local income" means the total income of a Municipality excluding the opening balance of the municipal fund, grants and contributions, and receipts under the Account Heads "Extraordinary" and "Debt".

3. (1) The election shall be made by the votes of delegates to be selected, in the manner hereinafter prescribed, by the Commissioners of the Municipalities in the said Divisions other than (a) the Chairman, if an official, and (b) the Commissioners appointed *ex officio*.

(2) Each delegate shall have the number of votes assigned to the municipality by the Commissioners of which he is selected in accordance with the following scale, namely:—

Municipalities with a local income of		Rs.		Rs.	Number of votes for each delegate.
	...	5,000	and less than	10,000	1
Ditto	ditto	...	10,000	ditto	2
Ditto	ditto	...	20,000	ditto	3
Ditto	ditto	...	50,000	ditto	4
			and for every additional Rs. 50,000 or part thereof in excess of 1,00,000		1

(3) The number of votes to which each delegate is entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

Selection of delegates.

4. (1) On such date and at such time as may be appointed by the Local Government in this behalf, the Commissioners of each such Municipality other than (a) the Chairman, if an official, and (b) the Commissioners appointed *ex officio*, shall meet for the purpose of selecting a delegate.

(2) At such meeting the Attesting Officer shall attend and, after explaining the rules, shall sign and deliver to each Commissioner present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(3) The Commissioners present shall then proceed to elect from among themselves a Chairman, who shall call upon such Commissioners to nominate persons for selection.

(4) Any Commissioner may be nominated for selection as a delegate by any two other Commissioners of the same Municipality as proposer and seconder, and the names of all persons so nominated and their respective proposers and seconders shall thereupon be entered by the Chairman in a list which shall be read out and signed by him.

(5) If one candidate only is duly nominated, such candidate shall be deemed to be selected as delegate, and the Chairman shall forthwith inform the Attesting Officer of the name and address of such candidate.

(6) If more candidates than one are duly nominated, the Commissioners present, including the Chairman, shall record their votes in the manner prescribed in the voting paper and deliver the voting papers to the Chairman.

(7) The Chairman shall then inform the Attesting Officer, who shall thereupon return to the meeting, and the Chairman shall make over to him the list of candidates nominated together with the voting papers.

(8) The Attesting Officer shall then examine the voting papers and count the votes in the presence of the Commissioners, and shall mark "rejected" on voting papers which he rejects on the ground that they do not comply with the instructions on the voting paper.

(9) When the counting of the votes has been completed, the Attesting Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be selected.

(10) When an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared selected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Attesting Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Attesting Officer shall seal up the voting papers and list of nominations, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

(12) The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected (hereinafter referred to as electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations and having a place of residence in the Division for the representation of the Municipalities of which he is a candidate may be nominated as a candidate for election if he is a Commissioner of any one of such Municipalities other than (a) the Chairman, if an official, or (b) a Commissioner appointed *ex officio*.

(2) Every nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any Commissioner qualified to vote for the selection of a delegate for the Division who may ask for the same.

(3) Every nomination paper shall be subscribed by two such Commissioners as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no Commissioner shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and when duly attested by the Attesting Officer shall be despatched by him without delay by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

6. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 5, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

7. (1) If in any Division one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

- (2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.
- (3) On such date and at such time as the Local Government may appoint in this behalf, the electors desirous of recording their votes shall attend for the purpose at the office of the Returning Officer.
- (4) The Returning Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates.
- (5) The elector shall then sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.
- (6) The elector shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and shall there record his vote on the voting paper in accordance with the instructions thereon, and shall then deliver it to the Returning Officer.
- (7) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

Counting of votes and declaration of result.

8. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.
- (2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject, and mark "discarded" against any vote which he may discard, on the ground that it does not comply with the instructions on the voting paper.
- (3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.
- (4) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.
- (5) Every candidate may be present in person, or may send a representative duly authorised by him in writing, to watch the process of counting.
- (6) The Returning Officer shall show the voting papers sealed as provided by sub-rule (3) to the candidates or their representatives.
- (7) If an objection is made to any voting paper or vote on the ground that it does not comply with the instructions on the voting paper or to the rejection by the Returning Officer of a voting paper, or the discarding by him of any vote, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.
- (8) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.
- (9) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.
- (10) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.
- (11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

9. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

10. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—
- (a) the selection of delegates under rule 4;
 - (b) the attestation of nomination papers under rule 5;
 - (c) the scrutiny of nomination papers under rule 6;
 - (d) the attestation of voting papers under rule 7; and
 - (e) the counting of votes under rule 8.

FORM I.

(See rule 4)

VOTING PAPER.

A Delegate is to be selected to vote for the election of a Member of the Legislative Council of the Lieutenant-Governor of Bengal on behalf of the Commissioners of the Municipality in the Division.

Serial No.	Names of candidates.	Vote.

Attesting Officer.

Instructions.

1. Each Commissioner shall enter the name of the candidate to whom he desires to give his vote.
2. Each Commissioner has one vote.
3. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
4. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
5. Before his vote is marked the Commissioner shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

No.

I hereby declare that I am the person whose name appears as [

in the list of Commissioners of the Municipality of

in the

] No.
Division.

C. N.,

Commissioner.

FORM II.

(See rule 5.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by _____ and _____, who are personally
known to me (or who have been identified to my satisfaction) as Municipal Commissioners
of the Municipality (or Municipalities) of _____ in the _____ Division.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on or before the _____ day of _____ 19____, and between the hours of _____ and _____.

FORM III.

(See rule 7.)

Voting Paper.

A Member is to be elected to the Legislative Council of the Lieutenant-Governor of Bengal by the Delegates selected by the Municipal Commissioners in the following [] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. If an elector has more votes than one, he may give all his votes to one candidate, or may distribute them, in any manner he thinks fit, among all or any of the candidates.
2. He shall vote by placing or causing to be placed opposite the name of the candidate (or candidates) the mark x or as many such marks as the number of votes which he desires to give to such candidate.
3. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of votes to which the elector is entitled.
4. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.
5. The elector shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature; without such attestation the voting paper shall be invalid.

No.

- I hereby declare that I am the Delegate selected by the Municipal Commissioners of _____ in the
Division for the election of a Member to the Legislative Council of the Lieutenant-Governor
Bengal.

C. N.,

Elector.

Signed in my presence by the elector, who is personally known to me (or who has been
identified to my satisfaction).

X. Y

— *Returning Officer.*

SCHEDULE IV.

[See Regulation II, sub-head (iv), and Regulation III.]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE DISTRICT BOARDS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. Of the Members specified in Regulation II, sub-head (iv),—

(a) one shall be elected by the District Boards of each of the following five Divisions namely, the Presidency, Burdwan, Patna, Tirhut and Bhagalpur Divisions, and

(b) one shall be elected alternately by the District Boards of the Chota Nagpur and Orissa Divisions, the latter Boards having the first right of election.

3. (1) The election shall be made by the votes of delegates to be selected in the manner hereinafter prescribed by the members of the District Boards of the said Divisions other than (a) the Chairman, if an official, and (b) the members appointed *ex officio*.

(2) Each delegate shall have the number of votes assigned to the District Board by which he is selected in accordance with the following scale:—

District Boards with an annual income (exclusive of opening balances and receipts from loans)		Rs.		Rs.	Number of votes for each delegate.
Ditto	ditto	...	of less than	75,000	1
...	...	...	but less than	1,25,000	2
...	...	...	in excess of	1,25,000	3

(3) The number of votes to which each delegate is entitled on the said scale shall be notified from time to time by the Local Government in the local official Gazette.

Selection of delegates.

4. (1) On such date and at such time as may be appointed by the Local Government in this behalf, the members of each such District Board other than (a) the Chairman, if an official, and (b) the members appointed *ex officio*, shall meet for the purpose of selecting a delegate.

(2) At such meeting the Attesting Officer shall attend and after explaining the rules shall sign and deliver to each member of the Board present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(3) The members present shall then proceed to elect from among themselves a Chairman, who shall call upon such members to nominate persons for selection.

(4) Any member of such Board may be nominated for selection as a delegate by any two other members of the same Board as proposer and seconder, and the names of all persons so nominated and their respective proposers and seconds shall thereupon be entered by the Chairman in a list which shall be read out and signed by him.

(5) If one candidate only is duly nominated, such candidate shall be deemed to be selected as delegate, and the Chairman shall forthwith inform the Attesting Officer of the name and address of such candidate.

(6) If more candidates than one are duly nominated, the members present, including the Chairman, shall record their votes in the manner prescribed in the voting paper and deliver the voting papers to the Chairman.

(7) The Chairman shall then inform the Attesting Officer, who shall thereupon return to the meeting, and the Chairman shall make over to him the list of candidates nominated together with the voting papers.

(8) The Attesting Officer shall then examine the voting papers and count the votes in the presence of the members, and shall mark "rejected" on voting papers which he rejects on the ground that they do not comply with the instructions on the voting paper.

(9) When the counting of the votes has been completed, the Attesting Officer shall forthwith declare the candidate to whom the largest number of votes have been given to be selected.

(10) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared selected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Attesting Officer and in such manner as he may determine.

(11) Upon the completion of the counting and after the result has been declared by him, the Attesting Officer shall seal up the voting papers and list of nominations, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

(12) The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected (hereinafter referred to as electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

5. (1) Any person not ineligible for election under these Regulations and having a place of residence in the Division for the representation of the District Boards of which he is a candidate may be nominated as a candidate for election if he is a member of any one of such District Boards other than (a) the Chairman, if an official, or (b) a member appointed *ex officio*.

(2) Every nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any member of a District Board qualified to vote for the selection of a delegate for the Division who may ask for the same.

(3) Every nomination paper shall be subscribed by two such members proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no member shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and when duly attested by the Attesting Officer shall be despatched by him without delay by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer on or before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

6. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 5, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

7. (1) If in any Division one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

(3) On such date and at such time as the Local Government may appoint in this behalf, the electors desirous of recording their votes shall attend for the purpose at the office of the Returning Officer.

(4) The Returning Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates.

(5) The elector shall then sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.

(6) The elector shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and shall there record his vote on the voting paper in accordance with the instructions thereon and shall deliver it to the Returning Officer.

(7) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

Counting of votes and declaration of result.

8. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.
- (2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject, and mark "discarded" against any vote which he may discard, on the ground that it does not comply with the instructions on the voting paper.
- (3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.
- (4) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.
- (5) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.
- (6) The Returning Officer shall show the voting papers sealed as provided by sub-rule (3) to the candidates or their representatives.
- (7) If an objection is made to any voting paper or vote on the ground that it does not comply with the instructions on the voting paper or to the rejection by the Returning Officer of a voting paper, or the discarding by him of any vote, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.
- (8) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.
- (9) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.
- (10) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.
- (11) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

9. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—
 - (a) the selection of delegates under rule 4;
 - (b) the attestation of nomination papers under rule 5;
 - (c) the scrutiny of nomination papers under rule 6;
 - (d) the attestation of voting papers under rule 7; and
 - (e) the counting of votes under rule 8.

FORM I.

(See rule 4.)

VOTING PAPER.

A Delegate is to be selected to vote for the election of a Member of the Legislative Council of the Lieutenant-Governor of Bengal on behalf of the District Board of the Division. in

Serial No.	Names of candidates.	Vote.

Attesting Officer.

Instructions.

1. Each member shall enter the name of the candidate to whom he desires to give his vote.
2. Each member has one vote.
3. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
4. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
5. Before his vote is marked the member shall sign the declaration on the back of the paper. Without such signature the voting paper shall be invalid.

No.

I hereby declare that I am the person whose name appears as {
in the list of members of the District Board of In the

Division.

No.

C. N.

Member.

FORM II.

(See rule 5.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by _____ and _____, who are personally
known to me (or who have been identified to my satisfaction) as members of the District Board
(or Boards) of _____ in the _____ Division.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by the Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on or before _____ day of _____ 19____
and between the hours of _____ and _____.

FORM III.

(See rule 7.)

VOTING PAPER.

A Member is to be elected to the Legislative Council of the Lieutenant-Governor of Bengal by the Delegates selected by the District Boards in the Division. The following [] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. If an elector has more votes than one, he may give all his votes to one candidate or may distribute them, in any manner he thinks fit, among all or any of the candidates.
2. He shall vote by placing, or causing to be placed, opposite the name of the candidate (or candidates) the mark x or as many such marks as the number of votes which he desires to give to such candidate.
3. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of votes to which the elector is entitled.
4. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.
5. The elector shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

No.

I hereby declare that I am the Delegate selected by the District Board of _____ in the _____ Division
for the election of a Member to the Legislative Council of the Lieutenant-Governor of Bengal.

C. N.,
Elector.

Signed in my presence by the elector, who is personally known to me (or who has been
identified to my satisfaction).

X. Y.,
Returning Officer.

SCHEDULE V.

[See Regulation II, sub-head (v), and Regulation III.]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE LANDHOLDERS.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

2. The five Members specified in Regulation II, sub-head (v), shall be elected by landholders as follows, namely:—

Group A—by the landholders of the Presidency and Burdwan Divisions.....two Members;

Group B—by the landholders of the Patna, Tirhut and Bhagalpur Divisions.....two Members;

Group C—by the landholders of the Orissa and Chota Nagpur Divisions.....one Member.

Qualifications of electors.

3. The election shall be made by landholders qualified to vote and having a place of residence within the electoral group concerned who—

(a) pay either land-revenue or road and public works cesses as follows, namely:—

(i) in the case of Group A (the Presidency and Burdwan Divisions), pay land-revenue amounting to not less than seven thousand five hundred rupees or road and public works cesses amounting to not less than one thousand eight hundred and seventy-five rupees per annum;

(ii) in the case of Group B (the Patna, Tirhut and Bhagalpur Divisions), pay land-revenue amounting to not less than four thousand rupees or road and public works cesses amounting to not less than one thousand rupees per annum; and

(iii) in the cases of Group C (the Orissa and Chota Nagpur Divisions), pay land-revenue amounting to not less than six thousand rupees or road and public works cesses amounting to not less than five hundred rupees per annum; or

(b) hold titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab.

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll for each electoral group in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the said roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in each electoral group and in the case of Calcutta at the office of the Chief Presidency Magistrate.

5. In determining the eligibility of a landholder to have his name entered on the electoral roll for any electoral group—

(a) only such estates and shares of estates as are held by him as proprietor in his own right and not in a fiduciary capacity, and are registered in his own name in

registers maintained under the Land Registration Act, 1876, whether such estates or shares are situated in one or more Divisions in the same electoral group, shall be taken into account ;

(d) if the amount paid by the landholder in respect of any such share of an estate is not definitely known, the District Officer of the district in which such estate is situated shall estimate the amount so paid in respect of such shares, and his decision shall be final ; and

(e) if a landholder pays land-revenue, or cesses, in respect of estates or shares in estates situated in two or more electoral groups, and if his payments in none of such groups reach the amount prescribed for such group, his payments within all the groups shall be aggregated, and if such aggregate equals or exceeds the amount prescribed for the group in which he makes the largest payment, he shall be entitled to be entered in the electoral roll for that group.

6. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

7. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified any landholder whose name does not appear on the said electoral roll and who claims to have his name included therein, and any person who objects to the entry of any name in such roll, may, within fifteen days after the publication of the notification under the last sub-rule, forward to the Returning Officer, either direct or through the District Magistrate of the district in which he has a place of residence, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll as added to or altered on such revision, shall be published and posted as provided in rule 4.

Qualifications and nomination of candidates.

8. (1) Any person not ineligible for election under these Regulations, whose name is on the electoral roll, may be nominated as a candidate for election in the electoral group in which he is qualified as an elector.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer or any District Magistrate to any elector in that group applying for the same.

(3) Every nomination paper shall be subscribed by two electors in that group as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented to an Attesting Officer for attestation on or before the date and at the time appointed by the Local Government in this behalf, and when duly attested shall be forthwith despatched by registered post by the Attesting Officer to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

9. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 8, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

10. (1) If in any group the number of candidates duly nominated does not exceed the number of candidates to be elected, the Returning Officer shall forthwith declare such candidate or candidates to be elected.

(2) If the number of candidates duly nominated exceeds the number of candidates to be elected, the Returning Officer shall forthwith publish the names of such candidates in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall sign and send by registered post to each elector one such voting paper:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then record his vote on the voting paper in accordance with the instructions on the face thereof, and after placing the voting paper in an envelope and closing the same shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(8) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

11. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject, and mark "discarded" against any vote which he may discard, on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

12. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 11 to the candidates or their representatives.

(4) If an objection is made to any voting paper or vote on the ground that it does not comply with the instructions on the voting paper or to the rejection by the Returning Officer of any voting paper or the discarding by him of any vote, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

13. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

14. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

15. The Returning Officer shall without delay report the result of the election to the Local Government, and the name or names of the candidate or candidates elected shall be published in the local official Gazette.

Appointment of dates, times and places.

16. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of the electoral roll under rule 4 ;
- (b) the attestation of nomination papers under rule 8 ;
- (c) the scrutiny of nomination papers under rule 9 ;
- (d) the sending of voting papers under rule 10 ;
- (e) the attestation of voting papers under rule 10 ; and
- (f) the counting of votes under rule 12.

FORM II.

(See rule B.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence by _____ and _____, who are personally
known to me (or who have been identified to my satisfaction) as electors Nos. _____ and
on the Electoral Roll of Landholders for the _____ Divisions.

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on or before the _____ of _____ 19 _____
and between the hours of _____ and _____.

FORM III.

(See rule 11)

VOTING PAPER.

Member(s) ^{to} be elected to the Legislative Council of the Lieutenant-Governor of Bengal by the landholders of the Divisions. The following () candidates have been duly nominated.

Serial No.	Names of candidates.	Votes.

Returning Officer.

Instructions.

1. Each elector has as many votes as there are members to be elected.
2. If two members are to be elected, an elector may give both his votes to one candidate.
3. He shall vote by placing, or causing to be placed, the mark x, or the marks x x, as the case may be, opposite the name of the candidate or candidates whom he prefers.
4. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of members to be elected.
5. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.
6. Before his vote is marked, the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
7. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer in an envelope on or before the day of 19, and between the hours of * and

I hereby declare that I am the person whose name appears as
on the electoral roll of Landholders for the

No.

Divisions.

*Elector.**(Fold on this line.)*

Signed in my presence by the elector, who is personally known to me (or who has been
identified to my satisfaction).

Attesting Officer.

SCHEDULE VI.

[See Regulation II, sub-head (vi), and Regulation III.]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE MUHAMMADAN COMMUNITY.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties;

(2) "District Magistrate" includes any Joint, Assistant or Deputy Magistrate to whom the District Magistrate may, with the permission of the Commissioner of the Division, delegate any of his duties under these rules:

Provided that in Calcutta as defined by or under the Calcutta Municipal Act, 1899, the Chairman of the Corporation shall perform the duties assigned by these rules to the District Magistrate and may delegate any of such duties to the Vice-Chairman or Deputy Chairman; and

(3) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. Of the four Members specified in Regulation II, sub-head (vi), two Members shall be elected for each of the two following electoral areas, namely:—

I. The Presidency, Burdwan and Orissa Divisions;

II. The Patna, Tirhut, Bhagalpur and Chota Nagpur Divisions.

3. The said Members shall be elected by the votes of delegates to be selected from among themselves in the manner hereinafter prescribed by all Muhammadans qualified to vote and having a place of residence in the electoral area concerned, who—

(a) hold a title recognised or conferred by the Government or are members of the Order of the Star of India or the Order of the Indian Empire, or hold a Kaisar-i-Hind Medal, or

(b) are Ordinary or Honorary Fellows of the University of Calcutta, or

(c) are Honorary Magistrates, or

(d) are graduates of ten years' standing of any University in the United Kingdom or British India, or

(e) are teachers in any institution maintained or aided by the Government or affiliated to or recognized by the University of Calcutta or recognised by the Director of Public Instruction:

Provided that such teachers are not less than thirty years of age and receive a monthly salary of fifty rupees in Calcutta, or twenty-five rupees in any place other than Calcutta, or

(f) are Registrars authorised to act under the Bengal Muhammadan Marriages and Divorces Registration Act, 1876, or

(g) own land in respect of which land-revenue amounting to not less than one hundred and twenty-five rupees in the Presidency, Burdwan, Orissa and Chota Nagpur Divisions and two hundred and fifty rupees in the Patna, Tirhut and Bhagalpur Divisions, is payable per annum, or

(h) own land in respect of which road and public works cesses amounting to not less than thirty-one rupees and four annas in the Presidency, Burdwan, Orissa and Chota Nagpur Divisions and sixty-two rupees and eight annas in the Patna, Tirhut and Bhagalpur Divisions are payable per annum to Government either directly or through a superior landlord, or

(i) pay on their own account income tax on an income of not less than two thousand rupees in the Presidency, Burdwan, Orissa and Chota Nagpur Divisions, three thousand rupees in Calcutta, as defined by or under the Calcutta Municipal Act, 1899, and four thousand rupees in the Patna Tirhut and Bhagalpur Divisions, or

- (j) are in receipt of pensions from the Government of not less than fifty rupees per mensem :

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

4. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll for each electoral area in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) In determining the eligibility of a landholder as an elector, only land-revenue or road and public works cesses payable in respect of his own personal share shall be taken into account.

(3) As soon as may be after the publication of the said roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate in each electoral area and, in the case of Calcutta, at the office of the Chief Presidency Magistrate.

(4) The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

5. (1) The electoral roll published under rule 4 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) Any Muhammadan whose name does not appear on the said electoral roll and who claims to have his name included therein, and any person who objects to the entry of any name in such roll, may, within fifteen days after the publication of the notification referred to in sub-rule (1) of this rule, forward to the Commissioner of the Division in which he resides a statement of such claim or objection, as the case may be.

(3) The Commissioner shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 4.

Selection of delegates.

6. The electors of each of the districts or groups of districts mentioned in the following table shall select one delegate in the manner hereby prescribed, who shall be entitled to give the number of votes assigned to each such district or group of districts in the said table :

TABLE.

Electoral area I.

(Presidency, Burdwan and Orissa Divisions.)

Electoral area II.

(Patna, Tirhut, Bhagalpur and Chota Nagpur Divisions.)

District.	No. of votes.	District.	No. of votes.
Calcutta	4	Patna	5
24 Parganas	5	Gaya	3
Nadia	1	Shahabad	2
Murshidabad	4	Saran and Champaran	2
Jessore	3	Muzaffarpur	3
Khulna	3	Darbhanga	1
Burdwan	2	Monghyr	1
Birbhum	1	Bhagalpur and Santhal Parganas	1
Midnapur and Bankura	1	Purnea and Darjeeling	3
Hooghly and Howrah	1	Ranchi and Palamau	1
Cuttack, Puri, Balasore and Sambalpur	2	Hazaribagh, Manbhum and Singhbhum	1
Total of Electoral area I	26	Total of Electoral area II	23

7. (1) Any person whose name is on the electoral roll may be nominated for selection as a delegate by the electors of the district or, in the case of districts grouped together in the above table, the group of districts in which he resides.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the District Magistrate to any elector applying for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder and shall be attested by an Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented to an Attesting Officer for attestation on or before such date and at such time and place as may be appointed by the Local Government in this behalf, and when duly attested shall be despatched forthwith by the Attesting Officer.

(5) Nomination papers which are not received by the District Magistrate before the date and time appointed by the Local Government in this behalf shall be rejected.

8. (1) If one candidate only is duly nominated, the District Magistrate shall forthwith declare such candidate to be selected.

(2) If more candidates than one are duly nominated, the District Magistrate shall forthwith publish their names in such manner as the Local Government may prescribe.

(3) The District Magistrate shall forthwith enter the names of the candidates in voting papers in Form III annexed to this Schedule and sign and send to each elector by registered post a voting paper bearing his number in the electoral roll :

Provided that such a voting paper shall also be supplied to any elector on his applying to the District Magistrate for the same on or before the day appointed as the latest date for the attestation of voting papers under this rule and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then record his vote on the voting paper in accordance with the instructions on the face thereof and deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

9. (1) On such date as may be appointed by the Local Government in this behalf, the District Magistrate shall examine the voting papers and count the votes, and shall mark "rejected" on voting papers which he rejects on the ground that they do not comply with the instructions thereon.

(2) When the counting of the votes has been completed, the District Magistrate shall declare the candidate who has got the largest number of votes to be selected.

(3) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared selected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the District Magistrate and in such manner as he may determine.

(4) Upon the completion of the counting and after the result has been declared by him, the District Magistrate shall seal up the voting papers and all other documents relating to the selection of the delegates, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

10. The District Magistrate shall without delay report the result of the selection to the Returning Officer, who shall cause the names of the delegates selected for each district or group of districts to be published in the local official Gazette, and also to be posted in a conspicuous place at the office of every District Magistrate of every district and of the Chief Presidency Magistrate of Calcutta.

Qualifications and nomination of candidates.

11. (1) Any Muhammadan not ineligible for election under these Regulations may be nominated as a candidate for election, if he has a place of residence in the electoral area for which he is a candidate and possesses one of the following qualifications, namely :—

- (a) is a Member of the Legislative Council of the Lieutenant-Governor of Bengal ; or
- (b) is the holder of any title conferred or recognised by the Government, or is a member of the Order of the Star of India or of the Order of the Indian Empire or the holder of a Kaiser-i-Hind Medal ; or

(c) is an Ordinary or Honorary Fellow of the University of Calcutta ; or

- (d) owns land in respect of which land-revenue amounting to not less than seven hundred and fifty rupees is payable per annum ; or
- (e) owns land in respect of which road and public works cesses amounting to not less than one hundred and eighty-seven rupees and eight annas are payable per annum to Government either directly or through a superior landlord ; or
- (f) pays on his own account income-tax on an income of not less than six thousand rupees per annum ; or
- (g) is in receipt of a pension for service as a gazetted or commissioned officer of the Government.

(2) Such nomination shall be made by means of a nomination paper in Form IV annexed to this Schedule, which shall be supplied by the Returning Officer or by a District Magistrate to any elector applying for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by an Attesting Officer in the manner prescribed on the face of the form :

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on such days and at such times as may be appointed by the Local Government in this behalf, and when duly attested shall be despatched by the Attesting Officer to the Returning Officer by registered post in an envelope sealed with his official seal.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

12. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 11, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

13. (1) If in any electoral area the number of candidates duly nominated does not exceed the number of vacancies, the Returning Officer shall forthwith declare such candidates to be elected.

(2) If the number of candidates duly nominated exceeds the number of vacancies, the Returning Officer shall forthwith publish the names of such candidates in such manner as the Local Government may prescribe.

(3) In the case referred to in sub-rule (2), the Returning Officer shall forthwith cause the names of the candidates to be entered in voting papers in Form V annexed to this Schedule, and shall sign and send to each delegate by registered post one such voting paper :

Provided that such a voting paper shall also be supplied to any delegate on his applying to the Returning Officer for the same on or before the day appointed as the latest date for the attestation of voting papers under rule 14 and that no election shall be invalidated by reason of the non-receipt by a delegate of his voting paper.

14. (1) On or before such date as may be appointed by the Local Government in this behalf, each delegate desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(2) The delegate shall then record his vote on the voting paper in accordance with the instructions on the face thereof, and after placing the voting-paper in an envelope and closing the same shall deliver it to the Attesting Officer.

(3) The Attesting Officer shall, at the close of the day appointed as the latest date for attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(4) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form VI annexed to this Schedule of the delegates whose voting papers he has attested.

(5) Neglect on the part of the delegate to comply with any of these instructions shall render the vote invalid.

Counting of votes and declaration of result.

15. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the delegate and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

16. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 15 to the candidates or their representatives.

(4) If an objection is made to any voting paper or vote on the ground that it does not comply with the instructions on the voting paper or to the rejection by the Returning Officer of a voting paper or the discarding by him of any vote, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

17. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest numbers of votes have been given to be elected.

(2) When an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

18. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

18. The Returning Officer shall without delay report the result of the election to the Local Government, and the name of the candidate or candidates elected shall be published in the local official Gazette.

Appointment of dates, times and places.

19. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of the electoral roll under rule 4;
- (b) the attestation of nomination papers under rules 7 and 11, respectively;
- (c) reception by the District Magistrate of nomination papers under rule 7;
- (d) the examination and counting of votes under rule 9;
- (e) the scrutiny of nomination papers under rule 12;
- (f) the attestation of voting papers under rules 8 and 14, respectively; and
- (g) the counting of votes under rule 16.

FORM II.

(See rule 7.)

NOMINATION PAPER.

1. Name of candidate.
2. Name of father.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

Signed in my presence on the day of 19 by and
who are personally known to me (or who have been identified to my satisfaction) as electors
Nos. and on the electoral roll of Muhammadans for Electoral Area $\frac{1}{11}$.

Attesting Officer.

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.
2. They must be presented for attestation on or before the day of and
between the hours of and at the office of
3. Nomination papers which are not received by the District Magistrate before the hour
of on the day of 19 shall be rejected.

FORM III.

(See rule 8.)

One Delegate is to be selected by the electors of the district (or districts) of _____ to vote for the election of a Member to the Legislative Council of the Lieutenant-Governor of Bengal on behalf of the Muhammadans of electoral area No. _____

The following (_____) candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote

District Magistrate.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer on or before the _____ day of _____ 19____ and between the hours of _____ and _____.

I hereby declare that I am the person whose name appears as [

roll of Muhammadans for electoral area No. .

] No. . on the electoral

C. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (or who has been identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 11.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Address.
4. Signature of proposer.
5. Signature of seconder.

Signed in my presence by _____ and _____, who are personally known to me (or
have been identified to my satisfaction) as voters Nos. _____ and _____ on the electoral roll
of Muhammadans for electoral area No. _____

Attesting Officer.

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested shall be invalid.

2. They must be presented for attestation on the _____ day of _____ and between the
hours of _____ and _____

3. Nomination papers which are not received by the Returning Officer before _____ on
the _____ day of _____ 19 _____ shall be rejected.

FORM V.

(See rule 13.)

VOTING PAPER.

Member (or Members) is (or are) to be elected to the Legislative Council of the Lieutenant-Governor of Bengal by the Delegates selected by the Muhammadan Community in electoral area No. . The following [] candidates have been duly nominated :—

Serial No.	Names of candidates.	Votes.

Returning Officer.

Instructions.

1. If a delegate has more votes than one, he may give all his votes to one candidate, or may distribute them, in any manner he thinks fit, among all or any of the candidates.
2. He shall vote by placing, or causing to be placed, opposite the name of the candidate (or candidates) the mark × or as many such marks as the number of votes which he desires to give to such candidate.
3. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of votes to which the delegate is entitled.
4. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.
5. The delegate shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
6. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in an envelope on or before the day of 19 and between the hours of and .

I hereby declare that I am a Delegate from the district (or districts) of _____ for the election of a Member to the Legislative Council of the Lieutenant-Governor of Bengal by the Muhammadan Community.

C. N.,

Delegate.

.....
(Fold on this line.)

Signed in my presence by the Delegate, who is personally known to me (or who has been identified to my satisfaction).

X. V.

Attesting Officer.

FORM VI.

(See rule 14.)

LIST OF DELEGATES WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the Delegates whose voting papers have been attested by me :—

Serial No.	Name of Delegate.	Address.

Attesting Officer.

SCHEDULE VII.

[See Regulation II, sub-head (vi), and Regulation III.]

RULES FOR THE ELECTION OF A MEMBER OR MEMBERS BY THE BENGAL CHAMBER OF COMMERCE.

1. The Member or Members specified in Regulation II, sub-head (vii), shall be elected by the Members of the Bengal Chamber of Commerce.
2. Any person, not ineligible for election under these Regulations, who is at the date of the election a member of the said Chamber shall be eligible for election.
3. On or before such date as may be appointed by the Lieutenant-Governor in this behalf, the said Chamber shall elect the Member or Members aforesaid in such manner as a Commissioner for the Port of Calcutta is for the time being elected by the said Chamber under section 6 of the Calcutta Port Act, 1890.
4. The Chairman of the said Chamber shall forthwith report the result of the election to the Local Government, and the name of the candidate or candidates elected shall be published in the local official Gazette.

SCHEDULE VIII.

[See Regulation II, sub-head (viii), and Regulation III.]

RULES FOR THE ELECTION OF A MEMBER BY THE CALCUTTA TRADES ASSOCIATION.

1. The Member specified in Regulation II, sub-head (viii), shall be elected by the members of the Calcutta Trades Association.
2. Any person, not ineligible for election under these Regulations, who is at the date of the election a member of the said Association shall be eligible for election.
3. On or before such date as may be appointed by the Lieutenant-Governor in this behalf, the said Association shall elect the Member aforesaid in such manner as a Commissioner for the Port of Calcutta is for the time being elected by the said Association under section 6 of the Calcutta Port Act, 1890.
4. The Chairman of the said Association shall forthwith report the result of the election to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

The 15th November 1909.

No. 18.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Members of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh:

REGULATIONS FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE LEGISLATIVE COUNCIL OF THE LIEUTENANT-GOVERNOR OF THE UNITED PROVINCES OF AGRA AND OUDH.

I. (1) The Members of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh shall ordinarily consist of—

(A) Members elected by the classes specified in Regulation II, who shall be twenty in number;

(B) Members nominated by the Lieutenant-Governor, with the sanction of the Governor General, who shall not exceed twenty-six in number, and of whom—

(a) not more than twenty may be officials, and

(b) one shall be a non-official person to be selected from the Indian commercial community.

(2) In addition to the forty-six Members above specified, the Lieutenant-Governor may nominate two more persons, whether officials or non-officials, having expert knowledge of subjects connected with proposed or pending legislation, to be Members of the Council:

Provided that it shall not be lawful for the Lieutenant-Governor to nominate so many official persons under these Regulations that the majority of all the Members of the Council shall be officials.

II. The twenty elected Members specified in Regulation I shall be elected as follows, namely:—

(i) By the University of Allahabad	...	...	1 Member.
(ii) By the Municipal Boards specified in Schedule II to these Regulations	...	...	4 Members.
(iii) By the District and Municipal Boards specified in Schedule III to these Regulations	...	...	8 Members.
(iv) By the Landholders	...	...	2 Members.
(v) By the Muhammadan community	...	...	4 Members.
(vi) By the Upper India Chamber of Commerce	...	...	1 Member.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules annexed to these Regulations.

IV. No person shall be eligible for election as a Member of the Council if such person—

(a) is not a British subject, or

(b) is a female, or

(c) has been adjudged by a competent Civil Court to be of unsound mind, or

(d) is under twenty-five years of age, or

(e) is an uncertificated bankrupt or an undischarged insolvent, or

(f) has been dismissed from the Government service, or

(g) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security

for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted or the offender pardoned, or

- (h) has been debarred from practising as a legal practitioner by order of any competent authority, or
- (i) has been declared by the Lieutenant-Governor to be of such reputation and antecedents that his election would, in the opinion of the Lieutenant-Governor, be contrary to the public interest :

Provided that in cases (f), (g), (h) and (i) the disqualification may be removed by an order of the Lieutenant-Governor in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

- (a) is a female; or
- (b) is a minor; or
- (c) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council shall, before taking his seat, make at a meeting of the Council an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been ^{elected}_{nominated} a Member of the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh, do solemnly swear (or affirm) that I will bear true allegiance to His Majesty the King, Emperor of India, his heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

Power to declare seats vacant.

VIII. (1) If any person—

- (a) not being eligible for election, is elected under these Regulations, or
- (b) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (c), (e), (f), (g) or (h) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII within such time as the Lieutenant-Governor may consider reasonable,

the Lieutenant-Governor shall, by notification in the local official Gazette, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect within such time as may be prescribed by such notification another person, or shall, with the sanction of the Governor General, nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Lieutenant-Governor may with the like sanction nominate any person who is eligible for election by the electorate concerned.

Candidates elected by several electorates.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Chief Secretary to the Local Government within seven days from the date of the publication of the result of such elections in the local official Gazette, choose, or in his default the Lieutenant-Governor shall declare, for which of the electorates he shall serve, and the choice or declaration shall be conclusive.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who but for, the said votes would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

X. (1) Save as provided in clause (2) and subject to the provisions of Regulation XVIII, the term of office of a Member shall be three years from the date of his election or nomination, as the case may be: Term of office.

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Lieutenant-Governor may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification. Vacancies.

(2) When a vacancy occurs in the case of a nominated Member, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person to the vacancy:

Provided that when a casual vacancy occurs in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Lieutenant-Governor may with the like sanction nominate at his discretion any person who is eligible for election by such electorate. Failure to elect.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh shall be exercised only at meetings at which— Quorum.

(a) the Lieutenant-Governor, or

(b) the Vice-President appointed by the Lieutenant-Governor under section 4 of the Indian Councils Act, 1909, or,

(c) in the case of the discussions referred to in section 5 of the said Act, a Member appointed to preside in pursuance of a rule made under that section,

and ten or more Members of the Council are present.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected. Corrupt practices.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

(i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A “promise of individual profit” includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance
with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity
of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the local official Gazette, apply to the Local Government to set aside such election.

(2) The Lieutenant-Governor shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Lieutenant-Governor may, with the sanction of the Governor General, nominate any person who is eligible for election by such electorate.

Finality of decision.

XVII. The decision of the Lieutenant-Governor on any question that may arise as to the intention, construction or application of these Regulations shall be final.

First elections.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions.

(2) For this purpose the Lieutenant-Governor shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to elect Members in accordance with these Regulations within such time as may be prescribed by such notification.

(3) If within the time so prescribed any such class fails to elect, the Lieutenant-Governor may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[See Regulation II, sub-head (i), and Regulation III.]

RULES FOR THE ELECTION OF A MEMBER BY THE UNIVERSITY OF ALLAHABAD.

Preliminary.

1. "Returning Officer" means the Registrar of the University of Allahabad, and includes any officer of the University deputed for the time being by the Registrar to perform his duties under these rules.

Qualification of electors.

2. The Member specified in Regulation II, sub-head (i), shall be elected by the votes of the members of the Senate and Honorary Fellows of the University of Allahabad having a place of residence in India (hereinafter called electors).

Qualifications and nomination of candidates.

3. (1) Any person not ineligible for election under these Regulations who is entitled to vote under this Schedule may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be signed by the Returning Officer and sent by him by registered post on or before such date as may be appointed by the Local Government in this behalf to each elector whose address in India has been registered at the office of the Returning Officer:

Provided that a nomination paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the scrutiny of nomination papers.

(3) Each nomination paper shall be subscribed by two electors as proposer and seconder:

Provided that no elector shall subscribe more than one nomination paper.

4. Nomination papers which are not received by the Returning Officer before the day appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

5. (1) On the date and at the time and place appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 3, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

Voting.

6. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names and addresses in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form II annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector then residing in India whose address has been registered at the office of the Returning Officer one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any such elector on his applying to the Returning Officer for the same at any time before the day appointed for the counting of votes, and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

7. On the date and at the time and place appointed by the Local Government in this behalf, every elector desirous of recording his vote in the presence of the Returning Officer shall attend for the purpose, and, after recording his vote on the voting paper in the manner prescribed therein, deliver the same to the Returning Officer.

8. Any elector not desirous of recording his vote in the presence of the Returning Officer may send his voting paper by registered post to the Returning Officer after recording his vote thereon in the manner prescribed therein:

Provided that voting papers which are not received by the Returning Officer before the date appointed for the counting of votes shall be rejected.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions therein or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Local Government in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government, and the name of the candidate elected shall be published in the local official Gazette.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the sending of nomination papers under rule 3;
- (b) the scrutiny of nomination papers under rule 5;
- (c) the sending of voting papers under rule 6;
- (d) the recording of votes under rule 7; and
- (e) the counting of votes under rule 10.

FORM I.

(See rule 3.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Age.
4. Address.
5. Signature of proposer.
6. Signature of seconder.

*Returning Officer.**Instructions.*

Nomination papers which are not received by the Returning Officer before the day of 19 shall be invalid.